

Occupational Safety Competency 2.5

Competency 2.5 Occupational safety personnel shall demonstrate the ability to oversee contractor safety programs and determine the adequacy of local compliance with the occupational safety-related requirements of Orders, codes, standards, and regulations.

1. Supporting Knowledge and Skills

- a. Discuss what constitutes an acceptable contractor occupational safety program consistent with the applicable safety requirements in terms of program performance and workplace compliance.
- b. Discuss the planning and preparation required to perform oversight assessments such as scheduling and the review of the following:
 - Contract documents
 - Previous assessment reports/action plans
 - Injury/illness statistics
 - Employee concern records
 - Other performance indicators
 - Approved exemptions
- c. For a given workplace scenario, assess contractor compliance with applicable safety requirements.
- d. Discuss the methods of evaluating a safety program in terms of program and documentation review, workplace inspections, and employee interviews and describe the role and appropriate application and mix of each of these methods in evaluating the effectiveness of a contractor's occupational safety program.
- e. Given data from an assessment, analyze the results to determine the effectiveness and adequacy of the contractor's occupational safety program.
- f. Given the results from an analysis of contractor compliance or non-compliance, document the results and communicate the results to contractor and Department line management.
- g. Discuss assessment followup actions including followup inspections, hazard abatement plans and activities, and updated performance goals and measures.

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2. Self-Study Activities (corresponding to the intent of the above competency)

Below are two web sites containing many of the references you may need.

Web Sites		
Organization	Site Location	Notes
Department of Energy	http://wastenot.inel.gov/cted/stdguido.html	DOE Standards, Guides, and Orders
OSHA	http://www.osha-slc.gov/	OSHA documents and search engine
U.S. House of Representatives	http://law.house.gov/cfr.htm	Searchable Code of Federal Regulations

Read the study guide summary section below.

Scan each of the following references:

- DOE Order 5483.1A, *Occupational Safety and Health Program for DOE Contractor Employees at Government-Owned, Contractor-Operated Facilities*
- 29 CFR Part 1910, *Occupational Safety and Health Standards*

EXERCISE 2.5-A Using DOE Order 5483.1A, discuss the requirements that constitute an acceptable contractor occupational safety program.

EXERCISE 2.5-B Discuss the planning and preparation required to perform oversight assessments.

EXERCISE 2.5-C Using 29 CFR 1910, review the following workplace scenario and perform the following activities:

- (a) Identify the OSHA requirement(s) that were violated and state the CFR reference location.
- (b) List at least three lessons learned from this scenario.

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Scenario

A forklift operator working in a storage facility was maneuvering the forklift down an aisle and into a bulk storage area. The 15-foot aisle had only 7½ feet of clearance because both sides of the aisle were being used for storage.

The forklift was carrying two spools of copper wire that were large enough to block the operator's view. Established procedures require that a vehicle with an obstructing load be backed into place, allowing the operator a clear view. Despite his impaired visibility, however, the operator did not back the forklift down the narrow aisle because the forklift's load was precariously balanced and because he wanted to watch the load as he drove.

While the forklift was moving down the aisle, a platform lift was being used to relocate material to a temporary staging area along the side of the aisle. The platform lift operator was standing in the aisle when the forklift collided with the platform lift. One of the forklift tines struck the platform lift operator, resulting in a broken leg. The platform lift and the forklift's skids absorbed most of the impact, and the forklift was able to stop before a more serious injury could occur. (Derived from *Occupational Safety Observer*, U.S. Department of Energy, Office of Safety and Health, Vol. 2, No. 11, November 1993.)

EXERCISE 2.5-D Develop a matrix, such as the one shown below, that describes the methods of evaluating a safety program in terms of program and documentation review, workplace inspections, and employee interviews.

Assessment Methods	
Method	Description
Workplace Inspections	
Employee Interviews	
Program and Documentation Review	

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EXERCISE 2.5-E Develop a matrix, such as the one shown in Exercise 2.5-E in Section 2 of this self-study guide, that describes assessment follow-up actions in terms of corrective action plan reviews, follow-up inspections, and updated performance goals and measures.

Assessment Follow-Up Actions		
Step	Action	Description
1	Corrective action plan review	
2	Follow up inspections	
3	Updated performance goals and measures	

3. Summary

Oversight of contractor safety programs requires knowledge and skills in program requirements, oversight responsibility and planning, methods, approach, and follow-up. A short summary of each is offered below.

Program Requirements

DOE Order 5483.1A, *Occupational Safety and Health Program for DOE Contractor Employees at Government-Owned, Contractor-Operated Facilities*, identifies the requirements that constitute an acceptable contractor occupational safety program. In such a program, the contractor is required to:

- Furnish to contractor employees, with employment and a place of employment that are as free from occupational safety and health hazards as possible.
- Establish and implement programs and procedures in support of DOE Order 5483.1A to ensure that:
 - There is meaningful contractor employee participation in all aspects of the occupational safety and health program.
 - All new and existing equipment, materials, facilities, and operations, as well as all modifications, or additions to existing facilities comply with DOE-prescribed OSHA standards.
 - The workplace is monitored for and records are maintained of known toxic substances and harmful physical agents that are used or produced at the GOCO facility.

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- Availability and maintenance of, requests for changes to, and requests for variances or exceptions from the DOE-prescribed OSHA standards are in accordance with Chapter I of DOE Order 5483.1A.
- Contractor employees are fully informed of their rights, protections, obligations, and responsibilities as required by Chapter I of DOE Order 5483.1A.
- Compliance inspections are conducted in GOCO facilities using the inspection procedures of Chapter I of DOE Order 5483.1A as general guidelines.
- Contractor employee safety and health complaints are investigated promptly and resolved equitably according to the requirements of Chapter II of DOE Order 5483.1A.
- Contractor employees who exercise their rights under DOE Order 5483.1A are not discriminated against, as required by Chapter III.
- Occupational safety and health records and information are maintained and posted as prescribed by Chapter III of DOE Order 5483.1A.
- Accident investigations are conducted as required by Chapter III of DOE Order 5483.1A.

Oversight Responsibility

The creation and maintenance of the contractor safety and health program is the responsibility of contractor management. Oversight of that function is the responsibility of DOE personnel. One method of performing the oversight function is through the use of assessments.

Assessment Planning

The following list is not all inclusive; however, it does list primary tasks that should be performed in the planning and preparation phase of oversight assessments.

1. For announced assessments, ensure that the contractor has been notified of the assessment schedule.
2. Ensure that necessary logistical arrangements are made.
3. Establish the criteria to be used as a basis for conducting the assessment.
4. Acquire advance copies of procedures, policies, contract documents, previous assessment reports/action plans, injury/illness statistics, employee concern records, other performance indicators, approved exemptions, accident reports, rosters, phone lists, etc.
5. Gather information pertinent to the assessment by reviewing advance materials.
6. Identify key contractor employees to be interviewed and work practices to be observed.

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Assessment Methods

Once into the assessment itself, there are several key methods of evaluating a safety program:

Assessment Methods	
Method	Description
Workplace Inspections	Well-planned inspections of the workplace can provide information necessary to assess adequacy of the safety program. This activity may include observations of personnel performing duties, workplace material conditions, housekeeping, or other activities that relate to the objectives of the assessment.
Employee Interviews	Interviews provide a key source of information to assess adequacy or compliance status of safety programs. Interviews frequently provide keys to program communication or implementation problems.
Program and Documentation Review	Data review provides a significant amount of the information needed to assess compliance or status of safety programs. Documentation reviewed in this process can include procedures, policies, contract documents, previous assessment reports/action plans, injury/illness statistics, employee concern records, other performance indicators, approved exemptions, accident reports, rosters, phone lists, etc. Reviews in this area are done to confirm the existence and content of programmatic pieces of the safety program.

Preferred Assessment Approach

The primary approach to assessments should be to take a performance-based approach. This approach places primary emphasis on activities and less on programmatic aspects. Both are still assessed, but the focus of the assessments typically start with indications of problems and work backwards to determine the root cause. The most appropriate mix of these three types of assessment methods described above varies based on the situation; however, recent departmental activities tend toward performance-based assessments, and therefore, towards increased inspections and reduced documentation reviews.

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Assessment Follow-Up Actions

Follow-up activities are very important to the oversight function. Responsibility for performing follow-up actions varies widely. The following list, however, addresses some of the standard follow-up actions that should be performed.

Assessment Follow-Up Actions		
Step	Action	Description
1	Corrective action plan review	The contractor should develop a plan for correcting the safety or health hazards identified in the assessment report. The plan should be reviewed for the likelihood of the actions correcting the problem. Negotiations may be required with the contractor to reach consensus on acceptable actions.
2	Follow up inspections	Once the actions of the corrective action plan have been completed, a follow-up inspection should occur. There are several purposes for this inspection. <ul style="list-style-type: none">• To verify that the corrective action plan was followed• To determine whether the initial problem was corrected• To ensure that the corrective actions have not made the initial problem worse or created a new problem
3	Updated performance goals and measures	A review of the current performance goals should be conducted to determine if revisions are needed due to this problem. Performance measures should also be reviewed for the same reason as well as to see if the corrective actions performed adversely any items measured.

4. Exercise Solutions

EXERCISE 2.5-A Using DOE Order 5483.1A, discuss the requirements that constitute an acceptable contractor occupational safety program.

ANSWER 2.5-A The contractor is required to:

- Furnish to contractor employees, with employment and a place of employment that are as free from occupational safety and health hazards as possible.
- Establish and implement programs and procedures in support of DOE Order 5483.1A to ensure that:
 - There is meaningful contractor employee participation in all aspects of the occupational safety and health program.

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- All existing equipment, materials, facilities, and operations are in compliance with DOE-prescribed OSHA standards.
- All equipment and materials which are to be procured and all new facilities, modifications, or additions to existing facilities comply with DOE-prescribed OSHA standards.
- The workplace is monitored for, and records maintained of, known toxic substances and harmful physical agents which are used or produced at the GOCO facility.
- Availability and maintenance of, requests for changes to, and requests for variances or exceptions from the DOE-prescribed OSHA standards are in accordance with Chapter I of DOE Order 5483.1A.
- Contractor employees are fully informed of their rights, protections, obligations, and responsibilities as required by Chapter I of DOE Order 5483.1A.
- Compliance inspections are conducted in GOCO facilities using the inspection procedures of Chapter I of DOE Order 5483.1A. as general guidelines.
- Contractor employee safety and health complaints are investigated promptly and resolved equitably according to the requirements of Chapter II of DOE Order 5483.1A.
- Contractor employees who exercise their rights under DOE Order 5483.1A are not discriminated against, as required by Chapter III.
- Occupational safety and health records and information are maintained and posted as prescribed by Chapter III of DOE Order 5483.1A.
- Accident investigations are conducted as required by Chapter III of DOE Order 5483.1A.

EXERCISE 2.5-B Discuss the planning and preparation required to perform oversight assessments.

ANSWER 2.5-B The following list is not all inclusive; however, it does list several of the primary tasks that should be performed in the planning and preparation phase of oversight assessments.

- For announced assessments, ensure that the contractor has been notified of the assessment schedule
- Ensure that necessary logistical arrangements are made
- Establish the criteria to be used as a basis for conducting the assessment

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- Acquire advance copies of procedures, policies, contract documents, previous assessment reports/action plans, injury/illness statistics, employee concern records, other performance indicators, approved exemptions, accident reports, rosters, phone lists, etc.
- Gather information pertinent to the assessment by reviewing advance copies of materials
- Identify key contractor employees to be interviewed and work practices to be observed

EXERCISE 2.5-C Using 29 CFR 1910, review the following workplace scenario and perform the following activities:

- (a) Identify the OSHA requirement(s) that were violated and state the CFR reference location.
- (b) List at least three lessons learned from this scenario.

NOTE: See the scenario under EXERCISE 2.5-C above under Section 2, Self-Study Activities.

- ANSWER 2.5-C
- (a) At least the following OSHA requirements were violated:
 - 29 CFR 1910.178(n)(4) -- "If the load being carried obstructs forward view, the driver shall be required to travel with the load trailing."
 - 29 CFR 1910.178(n)(4) -- requires that forklift operators "slow down and sound the horn at cross aisles and other locations where vision is obstructed."
 - 29 CFR 1910.176(a) -- requires that aisles used by mechanical equipment be kept clear.
 - (b) At least three valid items should be identified. Below is a list of lessons learned. Others may also be valid.
 - Established operating procedures require that a forklift be backed to its destination whenever forward visibility is obstructed. When possible, forklifts should not carry loads that will obscure the operator's line of sight.
 - Aisles should always be left unobstructed. In this case, using the aisle for storage contributed to the circumstances that placed the worker in the forklift's path.
 - Aisles should not be used as staging areas. In this instance, using the aisle to assemble material for relocation further restricted movement in an already crowded area. Remove all materials that might obstruct aisles to designated staging areas.

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- Management should consider using audible alarms and flashing lights on forklifts, although it should be noted that OSHA does not require these devices on forklifts operated in a warehouse. If a warehouse experiences heavy forklift traffic, audible alarms may become part of the normal background noise, making them ineffective.
- Forklift operators are required to receive training that includes safe operating procedures. Management should consider periodic refresher training in this area.

EXERCISE 2.5-D Develop a matrix, such as the one shown in Exercise 2.5-D in Section 2 of this self-study guide, that describes the methods of evaluating a safety program in terms of program and documentation review, workplace inspections, and employee interviews.

ANSWER 2.5-D

Assessment Methods	
Method	Description
Workplace Inspections	Well-planned inspections of the workplace can provide information necessary to assess adequacy of the safety program. This activity may include observations of personnel performing duties, workplace material conditions, housekeeping, or other activities that relate to the objectives of the assessment.
Employee Interviews	Interviews provide a key source of information to assess adequacy or compliance status of safety programs. Interviews frequently provide keys to program communication or implementation problems.
Program and Documentation Review	Data review provides a significant amount of the information needed to assess compliance or status of safety programs. Documentation reviewed in this process can include procedures, policies, contract documents, previous assessment reports/action plans, injury/illness statistics, employee concern records, other performance indicators, approved exemptions, accident reports, rosters, phone lists, etc. Reviews in this area are done to confirm the existence and content of programmatic pieces of the safety program.

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EXERCISE 2.5-E Develop a matrix, such as the one shown in Exercise 2.5-E in Section 2 of this self-study guide, that describes assessment follow-up actions in terms of corrective action plan reviews, follow-up inspections, and updated performance goals and measures.

ANSWER 2.5-E

Assessment Followup Actions		
Step	Action	Description
1	Corrective action plan review	The contractor should develop a plan for correcting the safety or health hazards identified in the assessment report. The plan should be reviewed for the likelihood of the actions correcting the problem. Negotiations may be required with the contractor to reach consensus on acceptable actions.
2	Follow up inspections	Once the actions of the corrective action plan have been completed, a follow-up inspection should occur. There are several purposes for this inspection. <ul style="list-style-type: none">• To verify that the corrective action plan was followed• To determine whether the initial problem was corrected• To ensure that the corrective actions have not made the initial problem worse or created a new problem
3	Updated performance goals and measures	A review of the current performance goals should be conducted to determine if revisions are needed due to this problem. Performance measures should also be reviewed for the same reason as well as to see if the corrective actions performed adversely affected any items measured.